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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUSTIN VENEGAS,

Defendant.

Case No.: 2:22-cr-00196-GMN-VCF

Stipulation for a Protective Order

The parties, by and through the undersigned, respectfully request that the Court issue an order protecting from disclosure to the public, or any third party not directly related to this case, any documents, recordings, or other tangible things produced by the government during discovery that contain the confidential personal identifying information of individuals referenced in the discovery. The parties state as follows:

1. On September 13, 2022, a grand jury returned an indictment charging the Defendant with two counts of Carjacking in violation of 18 U.S.C. § 2119(1), one count of Brandishing a Firearm During and in Relation to a Crime of Violence in violation of 18 U.S.C. § 924(c)(1)(A)(ii), one count of Discharging a Firearm During and in Relation to a Crime of

1 Violence in violation of 18 U.S.C. § 924(c)(1)(A)(iii), and one count of Felon in Possession of a
2 Firearm in violation of 18 U.S.C. § 922(g)(1). ECF No. 1.

3 2. The trial is currently set for February 27, 2023. *See* ECF No. 19.

4 3. The indictment in this case alleges two carjackings with a firearm that led to an
5 officer involved shooting. The Government has already produced redacted discovery of
6 approximately 722 Bates-stamped items to defense counsel, all of which the Defendant has
7 access to review and obtain copies of all redacted discovery produced by the Government to
8 defense counsel.

9 4. The discovery also contains an extensive amount of body worn camera that
10 contains a lot of personal identifying information of witnesses and victims, such as names,
11 social security numbers, birthdates, addresses, and telephone numbers. Specifically, the
12 government has over 170 media files of body worn camera related to the case that needs to be
13 reviewed prior to production to redact any personal identifying information of victims and/or
14 witnesses. The Government intends to review the media files, redact the files as necessary, and
15 provide a redacted copy to the Defendant in due course for the Defendant's personal review of
16 the discovery. However, due to the high volume of media files, the Government is unable to
17 produce the discovery at the current time.

18 5. The parties are seeking a protective order to allow the attorney for the Defendant
19 access to the media as soon as possible. As such, the parties stipulate to a protective order of the
20 protected material for the Government to produce unredacted copies of the media to defense
21 counsel.

22 6. The release of such information to the public or third parties not involved in the
23 case could endanger the privacy of those individuals and also subject them to potential misuse
24

1 of their identities. This confidential personal identifying information is referred to here as the
2 “Protected Information.”

3 7. In order to protect the privacy of the individuals referenced in the discovery, the
4 parties intend to restrict access to the following individuals: attorneys for all parties, and any
5 personnel that the attorneys for all parties consider necessary to assist in performing that
6 attorney’s duties in the prosecution or defense of this case, including investigators, paralegals,
7 retained experts, support staff, interpreters, and any other individuals specifically authorized by
8 the Court (collectively, the “Covered Individuals”).

9 8. The Covered Individuals shall be advised of the Protective Order, and, without
10 leave of the Court, the Covered Individuals shall not:

- 11 a. make copies for, or allow copies of any kind to be made by any other person of
12 the Protected Information in this case;
- 13 b. allow any other person to read, listen, or otherwise review the Protected
14 Information in this case;
- 15 c. use the Protected Information for any purpose other than preparing to defend
16 against or prosecute the charges in the Indictment for any purpose or any
17 further superseding indictment arising out of this case; or
- 18 d. attach any Protected Information to any of the pleadings, briefs, or other court
19 filings except to the extent those pleadings, briefs, or filings are filed under seal
20 or properly compliant with LR IC 6-1.

21 9. The Defendant shall only be permitted to review the Protected Information in the
22 presence of defense counsel who shall retain exclusive possession of the Protected Information.
23 Defense counsel will ensure that any discovery item left with the Defendant is fully redacted of
24 any Protected Information.

1 10. Nothing in this stipulation is intended to restrict the parties' use or introduction of
2 the Protected Information as evidence at trial or support in motion practice.

3 11. The parties shall inform any person to whom disclosure may be made pursuant to
4 this order of the existence and terms of this Court's order.

5 12. The parties reserve the right to seek to modify the terms of this protective order at
6 a later time pursuant to Federal Rule of Criminal Procedure 16(d)(1). Should a reasonable need
7 for this protective order cease to exist, on grounds other than a Covered Individual or some other
8 person violating or circumventing its terms, the Government will move expeditiously for its
9 dissolution.

10 13. The defense hereby stipulates to this protective order.

11 **DATED** this 28th day of November, 2022.

12 Respectfully submitted,

13 For the United States:

14 JASON FRIERSON
15 United States Attorney

16 /s/ Allison Reese
17 ALLISON REESE
18 Assistant United States Attorney

For the Defense:

RENE L. VALLADARES
Federal Public Defender

19 /s/ Raquel Lazo
20 RAQUEL LAZO
21 Assistant Federal Public Defender
22 Attorney for Justin Venegas

23 **IT IS SO ORDERED:**

24 
HONORABLE CAM FERENBACH
United States Magistrate Judge

11-29-2022

Date